

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Krystal A. Toland,

Case No. 3:13 cv 877

Plaintiff

v.

MEMORANDUM OPINION
AND ORDER

Commissioner of Social Security,

Defendant

Before the Court is the Report and Recommendation of the Magistrate Judge filed on November 18, 2014 in the above-entitled action. (Doc. No. 31). Under the relevant statute:

Within fourteen (14) days after being served a copy of these proposed Findings and Recommendation, any party who wishes to object must file and serve written objections or further appeal is waived.

United States v. Campbell, 261 F.3d 628 (6th Cir. 2001) (citation omitted); *see also* 28 U.S.C.A. § 636(b)(1). The failure to file written objections to the Magistrate Judge's report and recommendation constitutes a waiver of a determination by the district court of an issue covered in the report. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *see also United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

Following review of the Magistrate Judge's Report and Recommendation, the Court adopts the Report and Recommendation in its entirety as the Order of the Court. Therefore, according to the stipulation of the parties (Doc. No. 30), Plaintiff is awarded \$5,000.00 in attorney fees pursuant to the EAJA. In addition, the stipulations agreed to by the parties therein and as stated by the Magistrate in her Report and Recommendation are also adopted as the Order of this Court.

In light of the stipulation, Plaintiff's motion for attorney fees (Doc. No. 27) is denied as moot.

So Ordered.

s/ Jeffrey J. Helmick
United States District Judge